

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GEORGE JARVIS AUSTIN,

Plaintiff,

v.

INTERNAL REVENUE SERVICE (IRS)
ET. AL.,

Defendant.

Case No. 21-cv-02637-TLT

**ORDER OF CONDITIONAL
DISMISSAL**

Re: ECF Nos. 137, 143

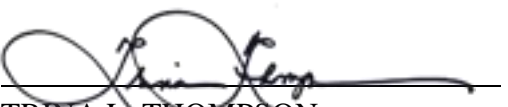
On April 12, 2023, and April 15, 2023, plaintiff George Jarvis Austin filed requests to voluntarily dismiss this case. *See* ECF Nos. 137, 143. The Court advised Mr. Austin that because Defendant Internal Revenue Service has appeared and filed an answer (*see* ECF No. 123) in this action, “the parties shall file a joint ‘stipulation of dismissal signed by all the parties who have appeared’ pursuant to Rule 41(a)(1)(A)(ii).” *See* ECF No. 138; Fed. R. Civ. P. 41(a)(1)(A)(ii).

Although the parties have not filed a joint stipulation of dismissal pursuant to Rule 41(a)(1)(A)(ii), in the interest of judicial economy, the Court hereby conditionally **DISMISSES** this matter without prejudice, and any hearings and deadlines are **VACATED**.

Accordingly, Defendant Internal Revenue Service retains the right to reopen this action within **30 days** of this Order. If Defendant Internal Revenue Service certifies to the Court, with proper notice to all other parties, within **30 days** of this Order, that the case should be reopened, this Order shall be vacated, and this case shall be restored for further proceedings.

IT IS SO ORDERED.

Dated: April 17, 2023


TRINA L. THOMPSON
United States District Judge